



HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

PHILIP S. FRANK
Phone: (212) 356-0886
Fax: (212) 356-1148
pfrank@law.nyc.gov
(not for service)

March 27, 2023

BY ECF

Honorable Katharine H. Parker
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *J.L., et al. v. NYC Dep't of Education, et ano.*,
No. 17-CV-7150 (PAC) (KHP)

Your Honor:

I am the Assistant Corporation Counsel in the Office of the Corporation Counsel of the City of New York assigned to represent Defendants New York City Department of Education ("DOE") and DOE Chancellor David C. Banks in the above-referenced matter, in which Plaintiffs, the parents of three students, allege that their rights were violated due to alleged systemic delays in providing their children coordinated nursing, transportation, and porter services.

Pursuant to the Court's Order dated March 27, 2023 (ECF No. 235), I write jointly with Plaintiffs' counsel to provide a status report advising the Court how the parties would like to proceed in this action. As the Court noted in its Order, "[f]act discovery in this action has closed and expert discovery was stayed pending a Motion for Summary Judgment on the issue of liability, however no such motion was filed." As such, the Court directed the parties to file, by today, a joint status letter "advising the Court of how they would like to proceed in this action, such as by setting a new briefing schedule for the Motion for Summary Judgment; by proceeding with expert discovery; by scheduling another settlement conference; or some other course of action."

With regard to a settlement conference, Defendants respectfully request, with Plaintiffs' consent, that the Court schedule another settlement conference in the matter. Today, the parties also have agreed to schedule a meeting in April to discuss settlement with each other in advance of the settlement conference with the Court.

With regard to the parties' anticipated cross-motions for summary judgment, the parties respectfully propose the following briefing schedule:

Plaintiffs' Motion for Summary Judgment:	April 28, 2023
Defendants' Cross-Motion and Opposition:	June 28, 2023
Plaintiffs' Opposition and Reply:	July 19, 2023
Defendants' Reply:	August 9, 2023

The parties thank the Court for its consideration of the within.

Respectfully submitted,

s/

Philip S. Frank
Assistant Corporation Counsel

cc: All counsel (via ECF)